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Senate's Own 'Foreign Service' Brings Home the Information

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Walter Pincus climbed aboard at Savanakhet, and soon the little plane was struggling for altitude over the rice paddies along the Laotian side of the Mekong River.

The pilot, a dashing American lieutenant with a mustache and a silk scarf, pointed the plane toward the middle of the Laotian panhandle, then circled, his eyes searching the teak trees below for a suspected camp of the enemy Pathet Lao.

Strange, perhaps, to find Walter J. Pincus, investigator for a foreign relations subcommittee, riding in a light plane over the enemy's lair in the heart of Indochina. But men like Pincus, seeking first-hand information in sensitive spots, are part of an important change in the U.S. Senate Committee on Foreign Relations.

During the Congress recently ended, says Chairman J. William Fulbright, the committee sought for the first time in decades to exercise "a truly independent critical judgment of proposals on foreign and defense policy matters." For years, he says, the committee "tended to go along with the 'facts' presented, the analysis of those facts, and the policy conclusions drawn therefrom by the administration."

Now, like a "little state department" with a foreign service of its own, the Foreign Relations Committee dispatches its staff around the world to gather information independent of the executive branch, then draws conclusions of its own.

Thus it was, during the first session of the 91st Congress, that Walter Pincus, 37, soft-spoken and be-spectacled, found himself seated in a U.S. plane next to an American pilot who was spotting targets for Royal Laotians in converted U.S. T28s.

Twice they swung low over the Laotian countryside. They spotted an unusual-looking log across a small stream. The pilot hit it with a smoke marker. Behind him, a Laotian loosed a bomb that screamed toward the water.

Abruptly, the American banked up a wooded slope. The Laotian followed. Down with more smoke. Then more bombs.

The heat was suffocating, and Pincus was getting airsick. He lost his lunch and his eyeglasses out the window. But he had what he wanted: indisputable evidence that U.S. pilots were flying sp

Now, neither the State Department, the Defense Department nor the White House could dodge the question.

With fellow investigator Roland Paul, 34, Pincus left for Bangkok. He stopped off for additional investigation in the Philippines. Then he returned to Washington to brief the foreign relations subcommittee on United States security agreements and commitments abroad.

In the Senate, a member of the subcommittee, John Sherman Cooper, a tall, gray-haired Kentucky Republican, was proposing an amendment to a money bill limiting the use of funds for support of Laotian and Thai forces to providing equipment, training and facilities. But no troops.

'Small Beginnings'

"Wars," Cooper said, mindful of Vietnam, "start from small beginnings." Cooper's amendment died in conference with the House.

But the information Pincus and Paul brought home from Southeast Asia, together with facts they were able to develop in closed committee hearings that October—that the U.S. ambassador in Vientiane was operating as virtual co-commander of fighting in northern Laos; that U.S. warplanes were hitting the North Vietnamese and Pathet Lao in northern Laos with hundreds of strikes a day; that about 200 American lives already had been lost—confirmed what Cooper's aides had been hearing privately: the United States was involved militarily in Laos, not only along the Ho Chi Minh Trail, but, more significantly in terms of creating a military commitment to yet another Southeast Asian nation, along the battlefield in the north, in support of the Laotian government.

In December, Cooper tried again. With another member of the subcommittee, Mike Mansfield of Montana, he offered his amendment to a multibillion-dollar defense appropriation bill.

Would it bar air support? asked Fulbright, who, along with Cooper and Mansfield, had learned about the F105s, F4s and AIs during the subcommittee hearing.

It wouldn't keep U.S. planes from bombing the Ho Chi Minh Trail, replied Mansfield. And it was "moot" whether it would affect the more than 100,000 days that U.S. planes were flying in support of Laotian forces elsewhere.

Beyond this, Mansfield couldn't speak without violating the government's classification of information presented at the hearing. He asked for a secret session of the entire Senate to discuss the matter. And for only the fifth time since World War II, the galleries were cleared.

Quorum was called, and when the secrecy was lifted two hours later, Sen. Frank Church, a boyish-looking Democrat from Idaho, offered a change in Cooper's amendment.

"None of the funds appropriated by this act," it said now, "shall be used to finance the introduction of American ground combat troops into Laos or Thailand."

The ban, which came to be called the Cooper-Church amendment, was adopted 80-9. Two days later it was accepted in conference with the House. And the President signed it.

Came spring, and Prince Norodom Sihanouk's regime was overthrown in Cambodia. Cooper and Church tried to extend their ban to Cambodia.

Debate went on and on. Some felt the talk itself was designed to kill the effort.

In the cold, blustery days of December, the waning days of the Congress, the Cooper-Church amendment on Cambodia was finally attached to supplemental foreign assistance. It was passed by the Senate, accepted by the House and signed by the President.

It prohibited sending U.S. ground combat troops or military advisers into Cambodia and declared that the United States was not committed to defending the Cambodian government without opposition.

Fulbright considers the Cooper-Church amendments among the best examples of the Foreign Relations Committee's new role.

Other Examples

They were authored by committee members, supported with evidence gathered by committee investigators and, in their surviving forms, adopted by the committee without opposition.

Nor were they the only examples. Fulbright cites eight such items from the 91st Congress, among them:

- Hearings on the ABM and related weapons systems, on chemical and biological warfare, on military policies and programs in Latin America, and on underground weapons tests, ocean space and Vietnam.

A resolution on an executive agreement with Spain for U.S. use bases in that country was signed, but nothing in the agreement "shall be deemed to be a national commitment by the United States."

• A general resolution on national commitments, serving notice that the Senate would no longer acquiesce virtually without question to foreign adventures by the executive.

And these examples from the decade of the '60s, when Fulbright says the influence of the committee grew "substantially" over its influence during the 1950s:

- Establishment of the Arms Control and Disarmament Agency in 1961, when legislative initiative came from Sen. Hubert Humphrey, D-Minn., a member of the committee.

- Establishment of the Peace Corps in 1961.

- Passage of the Hickenlooper amendment in 1962, named after committee member Bourke B. Hickenlooper, providing for suspension of foreign aid to any country that nationalizes, expropriates or seizes property owned by U.S. citizens, and refuses for more than six months to pay them.

Indeed, says Fulbright, the entire work of the subcommittee on security agreements and commitments abroad "made a singularly effective contribution" to the Foreign Relations Committee's new role.

The subcommittee was established in 1969 under former Air Force Secretary Stuart Symington, now a Democratic senator from Missouri, to make a detailed review of the nation's international military commitments—particularly those which were "creeping."

Commitments often "creep"—or expand beyond their original intent—when U.S. military presence increases in other countries, particularly with the addition of troops.

The subcommittee hired Roland Paul, former special assistant to the general counsel at the Pentagon, and Pincus, former investigative reporter for Washington newspapers. In 22 months, they traveled to 25 countries, tapping sources official and private.

Based on their investigations, the subcommittee held 37 days of hearings with 48 witnesses.

When the 91st Congress ended and the subcommittee completed its work, Pincus became a newspaperman again and Paul joined a New York law firm. But 11 persons remain on the professional staff of commitments, frequently done at the Foreign Relations Committee, each able to be dispatched on assignment.

Half travel fairly regularly, including investigators Richard Morse and James Lowenstein, former foreign service officers, who spent time in Vietnam and in Paris

in December of 1969 and returned to report on pacification, Vietnamization for Cambodia shortly before the U.S.-South Vietnamese incursion last May and returned to challenge President Nixon's assertion that Vietnamization had been threatened by a massive Communist buildup in the Cambodian sanctuaries. Then they returned to Cambodia last December to report that a program of U.S. military assistance "was under way to the extent of \$100 million."

Earlier this year, Lowenstein and Morse investigated American relations with Greece. Seth Tillman returned from the Middle East and Vietnam and submitted a report.

Don Henderson has become an authority on Western Europe and Africa; Norville Jones on East Asia and Japan. And Pat Holt's travels have made him an authority on Latin America.

Gotten Suspicious

Foreign visits might not be so necessary, staff members say, if the committee could depend upon the executive branch for complete and accurate information. But committee members have gotten suspicious.

"We made an inquiry into the venereal disease rate at Udorn Air Force Base in Thailand, for instance," recalls one staff member. "We asked the administration and got an answer: So many cases per thousand."

"Then we got a letter from an Air Force captain who said he'd like to see Sen. Fulbright the next time he was home on leave. Several months went by and he showed up. We took his testimony. He said he was in charge of VD treatment at Udorn and that somebody in Washington ought to know that he had been forced to doctor his statistics."

Staff members say other information is accurate but incomplete.

Most often, though, say committee aides, the executive branch keeps information secret by classifying it.

"This is partly the result of bureaucratic timidity," the subcommittee noted in its final report. "Especially at middle and lower levels, where the prevailing approach is to look for some reason either to cover up or to withhold facts."

"At least as important, this tendency to over-classification is part of the process of 'creeping' main on the professional staff of commitments,' frequently done at the Foreign Relations Committee, the request of a foreign government because the latter desires to keep a particular agreement or program

secret from its own people.... The dissembling to which the Congress and the American people have been subjected, however, cannot be attributed entirely to foreign

governments. In the beginning, the executive branch of the United States, as much as the governments of the Philippines and Thailand, desired to keep secret the arrangements under which Filipino and Thai troops were sent to Vietnam...."

"For many years," says Fulbright, "the role exercised by the Committee on Foreign Relations was that of the unquestioning advocate of policies and programs submitted to the Senate by the executive branch of the government. . . . Unquestioningly, the committee accepted executive branch judgments on what should be secret, what should be executive agreements, where troops should be sent in foreign lands. The inquiring attitude was lacking. The emphasis in the Senate's role in advise and consent was on consent. In short, for many years the committee got along with the executive branch of the government because it went along.

"This role has been changing. The committee has become aware that it is no service to the nation to accept without question judgments made by the executive. Indeed, many of our current difficulties might have been avoided if we had taken time to stop, look and listen."